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the contract. P brought the present action to restrain the suits at law. *Held*, for P, for a sealed instrument absolute on its face may be shown to have been delivered conditionally to the grantee by parol evidence. *Whitaker v. Lane*, (Va., 1920), 104 S. E. 252.

This case is illustrative of a tendency on the part of the American courts to depart from the rule announced in *Whyddon's Case*, Cro. Eliz. 520, that a delivery to the grantee in escrow, "let the form of the words be what they may, is absolute and the deed shall take effect as his deed presently", *SHEPHERD'S TOUCHSTONE*, § 59. The former cases in Virginia had abided by the old rule, but the principal case, after an exhaustive review of the authorities, discards it as being suited only to the formalism of the medieval mind. The problem involved was discussed in 18 MICH. L. REV. 314, where a similar conclusion was reached. In *Wipfler v. Wipfler*, 153 Mich. 18, the Michigan Supreme Court followed the old rule with great reluctance, but in *Phillips v. Farmers Insurance Co.*, 175 N. W. 144, commented upon in 18 MICH. L. REV. 425, a conclusion was reached which is difficult to reconcile with the principle announced in the earlier case. That the vast weight of authority in America still remains in favor of the rule laid down in *Whyddon's Case* cannot admit of a doubt, (16 L. R. A. N. S. 940), but where the evidence is clear no good reason readily comes to mind why, as between the parties to the deed, the principal case should not be followed.

DESCENT AND DISTRIBUTION—EFFECT OF STATUTE DISINHERITING ONE CONVICTED OF KILLING HIS ANCESTOR.—Husband and wife were living in Kansas. Husband owned land in Oklahoma. Wife was convicted in Kansas of manslaughter for the killing of husband. Wife brought suit in the Federal Court against the daughter claiming a share of the husband's land in Oklahoma. The Oklahoma statute provided that "no person who is convicted of having taken or causes or procures another so to take, the life of another, shall inherit from such person, or receive any interest in the estate of the decedent, or take by devise or legacy, or descent or distribution, from him, or her, any portion of his or her, estate." There was also a statute in Kansas similar in all material respects to the one just quoted. *Held*, that the Kansas statute is a law of inheritance, not a law fixing the status of persons domiciled within the state, and therefore cannot control inheritance as to lands in Oklahoma; and that the Oklahoma statute disqualifies a person from inheriting only on conviction in the courts of that state, so that the wife, convicted in Kansas, can inherit an interest in the husband's lands located in Oklahoma. *Harrison v. Moncravie*, (July, 1920), 264 Fed. 776.

There is some conflict in the cases on the question whether a murderer can acquire, by descent or distribution, the title to the property of his victim and keep it. In *Riggs v. Palmer*, 115 N. Y. 506, a beneficiary under a will had murdered the testator in order to prevent him from revoking the will and it was held that the beneficiary, by reason of the crime committed by him, was deprived of any interest in the estate left by the victim, and so was not entitled to the property, either as donee under the will or as heir or next of kin. In the later case of *Ellison v. Wescott*, 148 N. Y. 149, the court ex-

plained *Riggs v. Palmer* (*supra*), by saying that the decision must not be interpreted to mean that the will was revoked by the crime, but that the devisee got the legal title, although Equity would enjoin him from taking any benefit under it. In other words the court would declare the murderer a constructive trustee for the benefit of the heir or next of kin. See AMES, LECTURES ON LEGAL HISTORY, 310. In *the Estate of Hall*, [1914], P. 1, a legatee who was found guilty of manslaughter for killing of testator was held not to be entitled to take property under the will of his victim. Also in *Lundy v. Lundy*, 24 Can. Sup. Ct. 650, and *Perry v. Strawbridge*, 209 Mo. 621, the murderer was held not entitled to take the property of his victim. The ground of these decisions, as stated by the court in *Riggs v. Palmer* (*supra*), is that "no one shall be permitted to profit by his own wrong, or to found any claim upon his own iniquity, or to acquire property by his own crime." In other jurisdictions, however, the slayer has been allowed to take and keep the property of his victim. See *Owens v. Owens*, 100 N. C. 240; *Carpenter's Estate*, 170 Pa. 203; *McAllister v. Fair*, 72 Kans. 533; *De Graffenreid v. Iowa Land and Trust Co.*, 20 Okla. 687; *Halloway v. McCormick*, 41 Okla. 1. Subsequent to the two latter decisions, the legislature of Oklahoma enacted the statute quoted in the principle case with the obvious purpose of correcting the rule of those decisions. The decision in the principal case on the Kansas statute is sound, as that statute applies only to Kansas land, and is an inheritance statute, rather than one defining capacity. The decision of the case rests upon the construction of the Oklahoma statute, and, unfortunate as the result may be, it is submitted that the decision is sound. It was argued that the conviction by the court of her own domicile fixed her status and disqualified her as an heir of the land of her husband in Oklahoma. The following analogies might be invoked to support this conclusion: the adoption cases (*Ross v. Ross*, 129 Mass. 243), although the court distinguishes this class of cases; the divorcee's dower cases (*Rendleman v. Rendleman*, 118 Ill. 257; *Hawkins v. Ragsdale*, 80 Ky. 353), no doubt distinguishable for similar reasons. It is certainly the general rule that statutes such as the one in the principal case are territorial only. For example, a statute declaring that a person who has been convicted of a felony is incompetent as a witness does not apply to a conviction in another state; it has reference only to a conviction in that state. *Sims v. Sims*, 75 N. Y. 466; *Logan v. U. S.*, 144 U. S. 263. The decision in the principal case indicates that statutes of this type, which have been made necessary by an erroneous decision on the constructive trust question, should be made broad enough in their terms to apply beyond per-adventure to convictions anywhere.

EMPLOYER AND EMPLOYEE—PERSUADING ONE TO DISCHARGE AND NOT EMPLOY ANOTHER.—Under a rule of an association of traders that "on an employee leaving an employer, who is a member of the association, the employer shall report the same to the secretary, who shall advise all the members, and no other member shall employ or supply him for twelve months", after a meeting of the members, the plaintiff's employer was persuaded to discharge the plaintiff from his employment. In an action against the officials